

1 Thomas W. McNamara
info@regulatoryresolutions.com
2 Regulatory Resolutions
655 West Broadway, Suite 1600
3 San Diego, California 92101
Telephone: 619-269-0400
4 Facsimile: 619-269-0401

5 *Court-Appointed Receiver*

6 Daniel M. Benjamin (SBN 209240)
dbenjamin@mcnamarallp.com
7 Andrew W. Robertson (SBN 62541)
arobertson@mcnamarallp.com
8 Edward Chang (SBN 268204)
echang@mcnamarallp.com
9 McNamara Smith LLP
655 West Broadway, Suite 1600
10 San Diego, California 92101
Telephone: 619-269-0400
11 Facsimile: 619-269-0401

12 *Attorneys for Receiver*

13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA

15 SECURITIES AND EXCHANGE
16 COMMISSION,

17 Plaintiff,

18 v.

19 PLCMGMT LLC, dba PROMETHEUS
LAW, JAMES A. CATIPAY, and
20 DAVID A. ALDRICH,

21 Defendants.
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Case No. 2:16-cv-02594-TJH (FFMx)

**NOTICE OF SECOND INTERIM
FEE APPLICATION OF
RECEIVER**

Judge: Hon. Terry J. Hatter, Jr.
Ctrm.: 9B
Date: October 16, 2017
Time: UNDER SUBMISSION

1 Thomas W. McNamara, court-appointed Receiver (“Receiver”), was
2 appointed by Preliminary Injunction entered April 26, 2016 (ECF No. 20). The
3 Preliminary Injunction directs that, “[a]ll applications for costs, fees, and expenses
4 for services rendered in connection with the receivership other than routine and
5 necessary business expenses in conducting the receivership, such as salaries, rent,
6 and any and all other reasonable operating expenses, shall be made by application
7 setting forth in reasonable detail the nature of the services and shall be heard by the
8 Court.” (Section XIII, pages 11-12.)

9 Further, Section VIII(F) of the Preliminary Injunction directs the Receiver to
10 “choose, engage, and employ attorneys, accountants, appraisers, and other
11 independent contractors and technical specialists, as the permanent receiver deems
12 advisable or necessary in the performance of duties and responsibilities under the
13 authority granted by this Order, including but not limited to the law firm in which
14 the permanent receiver is a partner.”

15 The Receiver now submits this Second Interim Fee Application for approval
16 to pay the following for services during the period of November 1, 2016 through
17 July 31, 2017: \$58,618.50 fees and \$529.38 expenses of the Receiver and staff to
18 be paid to Thomas W. McNamara dba Regulatory Resolutions; \$126,441 fees and
19 \$7,217.06 expenses of the Receiver’s counsel, McNamara Smith LLP (which was
20 previously known as McNamara Benjamin LLP until June 1, 2017).

21 These requested fees and expenses, and the invoices regarding them, are
22 detailed and reviewed in the Declaration of Thomas W. McNamara filed with this
23 Application.

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1 This Application is made pursuant to Section XIII of the Preliminary
2 Injunction and is based upon this Notice of Application, the Declaration of Thomas
3 W. McNamara, and upon such other pleadings and oral and documentary evidence
4 as may be presented at or before the time of the hearing on the Application.

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6 Dated: September 7, 2017

MCNAMARA SMITH LLP

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8 By: /s/ Andrew W. Robertson
9 Andrew W. Robertson
10 Attorneys for the Receiver
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CERTIFICATE OF SERVICE

I hereby certify that on September 7, 2017, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of the filing to all participants in the case who are registered CM/ECF users.

I further certify that I have caused the foregoing to be mailed by First Class Mail, postage paid, to the following non-CM/ECF participants:

Beverly Yadao Palacio
1130 South Flower Suite 310
Los Angeles, CA 90015

Santiago Cuellar
1709 Christian Court
Weslaco, TX 78596

/s/ Andrew W. Robertson
Andrew W. Robertson